

**MINUTES OF THE 11TH MEETING OF THE JOINT COMMITTEE OF
REPRESENTATIVES OF THE TWO HUMAN RIGHTS COMMISSIONS ON
THE ISLAND OF IRELAND
(THE JOINT COMMITTEE)**

Held at 11am on Thursday the 11th December 2003

At the offices of the IHRC, Jervis Street, Dublin 1

- Present:**
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| IHRC: | Maurice Manning (President) - Chair
Jane Liddy
Michael Farrell
Robert Daly
Martin Collins |
| NIHRC: | Brice Dickson (Chief Commissioner)
Harold Good
Tom Hadden (By Phone for items 4.1 & 5)
Tom Donnelly |
- In Attendance:**
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| | Alpha Connelly (Chief Executive, IHRC)
Paddy Sloan (Chief Executive, NIHRC)
Gavin McSpadden (General Administrator, IHRC) |
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- Apologies:**
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| IHRC | Olive Braiden
Mervyn Taylor
Katherine Zappone
Nuala Kelly
Tom O'Higgins
Fionnuala Ní Aoláin
Clodach McGrory
William Binchy
Gerard Quinn |
| NIHRC | Margaret Ann Dinsmore
Christine Eames
Frank McGuinness
Kevin McLaughlin
Paddy Kelly |

2.0 Minutes of the 10th Meeting of the Joint Committee

- 2.1 The minutes were agreed subject to the following amendments.
- 2.1 In line 4 of paragraph 4.1.5 the words *Joint Committee* to be replaced by the words *Sub Committee*.
- 2.2 In line 1 of paragraph 4.2.5 the word *declaring* to be replaced by the word *declared*.

3.0 Matters Arising

3.1 No matter arose.

4.0 Sub Committee Reports

4.1 Charter of Rights Sub Committee

4.1.1 The following matters were agreed:

- (i) To co-opt Nuala Kelly as a full time member of the Committee and to ask her to become Convenor pro-tem. Paddy Kelly still remains a member and nominal convenor of the Committee but is not at present participating in the work of the NIHRC or the Joint Committee.
- (ii) The NIHRC are to ask Margaret Ann Dinsmore to join the Committee and that the Committee would consist of five persons from each Commission leaving the NIHRC with one position to fill.
- (iii) The IHRC would ask Olive Braiden if she would be agreeable to stepping down from the Committee as she had previously indicated her willingness to do so.
- (iv) As the revised deadline for submissions on the pre-consultation paper of the 1st of December had expired, the Chief Executives of both Commissions would meet and analyse responses for consideration by the Sub Committee.
- (v) Both Chief Executives would attend the next Charter of Rights Sub Committee Meeting to discuss the responses.
- (vi) It was agreed that the Charter of Rights Sub Committee would meet prior to and report back to the next meeting of the Joint Committee.
- (vii) It was agreed to proceed in line with the paper circulated by Tom Hadden at the meeting in relation to Research on Joint Charters.
- (viii) It was agreed that any research proposals emanating from the Sub Committee would be notified to all members of the Joint Committee and that members would have one week in which to raise any objections thereto.
- (ix) Costs in the region of €1000 per Commission could be undertaken without prior approval.
- (x) The President of the IHRC would peruse pursue the Department of Foreign Affairs for the Irish Government's response to the pre consultation paper.
- (xi) The UK Government's response has been received from the NI Office.

The following item was taken next.

5.0 Emergency Legislation

5.1 It was noted that the database had not, as yet, been updated. Paddy Sloan undertook to pursue the matter further.

- 5.2 The Chief Commissioner reported that the Clive Walker Seminar had been postponed due to the non appearance of the new Crime and Security Bill. He mentioned that Lord Carlisle's report on the Terrorism Act 2000 would probably be available by the time the Bill is published.
- 5.3 Michael Farrell reported that the Committee on the Administration of Justice in the IHRC had been concentrating on immediate pieces of legislation referred to the IHRC for consideration by the Minister for Justice, Equality and Law Reform and that Emergency Legislation would be on the agenda for the meeting which was scheduled for later that day. He further reported that the IHRC had made submissions on the proposed new anti-terrorism legislation and the matter was presently before the Oireachtas.
- 5.4 It was agreed that the possibility of having a Joint Sub Committee on Emergency Legislation and the matter of issues of mutual cross border interest would be on the agenda for the next meeting.

4.0 Racism Sub-Committee

- 4.1 Michael Farrell reported that due to pressure of work there had not been a meeting of the Racism Sub Committee.
- 4.2 A report was circulated from the NIHRC at the meeting detailing the work being undertaken in the area by the NIHRC.
- 4.3 Michael Farrell updated the Committee on the work of the IHRC including the proposed joint letters from both Commissions on the formal inclusion of travellers as an ethnic group in the Irish government's report to the UN CERD Committee and calling on both governments to ratify the UN the Migrant Rights Convention on Migrant Workers. He reported to the meeting that the Irish Government had finalised its report under the CERD Convention without the further consultation with the Commission and others which the Department of Justice, Equality and Law Reform had suggested but with a chapter appended on the initial consultation process. The IHRC had decided to proceed with work on a shadow report and would update this nearer the stage at which the CERD Committee will consider the Government's report. He also reported that the NCCRI were organising a conference in February in relation to CERD and had asked for the input of the IHRC. He indicated that it would be valuable to also have the input of the NIHRC and he understood they had already been contacted. Paddy Sloan informed the meeting that Nazia Latif in the NIHRC had produced a paper on international standards and she would send it to the IHRC for information. It was agreed that a joint letter signed by both the President of the IHRC and the Chief Commissioner of the NIHRC would issue to the Minister for Justice, Equality and Law Reform highlighting the non-inclusion of the travelling community as an ethnic minority in the Government's CERD report. The President of the IHRC agreed to draft a letter for consideration by the Chief Commissioner.

- 4.4 In relation to the position of Non National Parents of Irish Born Children Michael Farrell reported that the Commission's position had been taken up by a large number of groups and was getting a lot of mileage. He also reported on a new development whereby the Department of Justice, Equality and Law Reform are now refusing family reunification to persons previously granted leave to remain on the basis of their parentage of Irish born children. This had not been the case up to now. He indicated that it would be helpful if the NIHRC could say something if they thought it was relevant to their work.
- 4.5 He informed the Committee of the Joint Seminar with Amnesty International on Racism which was being organised in the New Year and said that the involvement of the NIHRC would be valuable, possibly in relation to the Section 75 duty on public Bodies in Northern Ireland.
- 4.6 Nuala Kelly reported on the establishment of a Migrant Policy Work Group comprising representatives of the Immigrant Council, NCCRI and the Migrant Rights Centre. She reported that the IHRC in association with the NCCRI were in the process of preparing document on International Standards in Migration which was to be jointly published by the IHRC and the NCCRI.
- 4.6.1 It was noted that both Commissions had been asked to participate in a round table in Belfast organised by the Northern Ireland Equality Commission which is to be held in February.
- 4.6.2 It was noted that the Government of the Republic proposed the decentralisation of both the Equality Authority and Equality Tribunal from Dublin to Roscrea. It was considered that this was a potential blow to the effectiveness of both bodies as they would no longer be accessible to the majority of applicants/petitioners.
- 4.6.3 The Chief Commissioner mentioned that the NIHRC had visited detainees in prison in the North and found matters that caused some concern. Shortly after the visit one person was released. He said that the visit had highlighted the lack of a Government Action Plan on Racism. Michael Farrell noted that the Republic's National Action Plan Against Racism had disappeared off radar and Martin Collins informed the meeting that the timescale for completion of the plan was the end of January 2004.

6.0 Update on activities of the two Commissions.

- 6.1 Individual papers were circulated and spoken to by both Chief Executives outlining recent activities of both Commissions

7.0 AOB

- 7.1 Jane Liddy noted that both Commissions were doing broadly similar work on the issue of Elderly Persons and suggested that this be tracked at Chief Executive level. This was agreed.

- 7.2 Martin Collins notified the meeting and circulated a brochure in relation to a 3 day programme of seminars commencing in Trinity College on the 12th of December to coincide with International Human Rights Week. This follows on from research commissioned by both the Irish Traveller Movement and the Northern Ireland Traveller Movement.
- 7.3 The next two meetings of the Joint Committee were fixed for the 11th of March in Belfast and the 10th of June in Dublin.

The meeting finished at 1.15 approximately.